

RTP:RMS/EL  
F. #2023R00297

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

- against -

FNU LNU,

also known as  
“Charles E. Ham, Jr.,”  
“Charles Edward Ham, Jr.,”  
“Charles Edmond Ham, Jr.”  
and “Dennis Henry,”

Defendant.

AFFIDAVIT AND  
COMPLAINT IN SUPPORT  
OF ARREST WARRANT

(18 U.S.C. §§ 1343 and 3551 et seq.)

No. 24 MJ 641

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EASTERN DISTRICT OF NEW YORK, SS:

Ryan G. Lazzari, being duly sworn, deposes and states that he is a Special Agent with the United States Department of State, Bureau of Diplomatic Security, duly appointed according to law and acting as such.

In or about and between January 2005 and February 2024, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant FNU LNU, also known as “Charles E. Ham, Jr.,” “Charles Edward Ham, Jr.,” “Charles Edmond Ham, Jr.” and “Dennis Henry,” did knowingly and intentionally devise a scheme and artifice to defraud the New York State Department of Labor, and to obtain money and property from the New York State Department of Labor, by means of one or more materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and

artifice, did transmit and cause to be transmitted, by means of wire communication in interstate commerce, writings, signs, signals and pictures.

(Title 18, United States Code, Sections 1343 and 3551 et seq.)

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. I am a Special Agent with the United States Department of State, Bureau of Diplomatic Security ("DSS") and have been since approximately September 2022. In my current role, I am responsible for investigating federal crimes, including passport fraud and visa fraud. Prior to joining DSS, I was a police officer between approximately 2016 to 2022.

2. Law enforcement officials have been investigating the defendant FNU LNU, also known as "Charles E. Ham, Jr.," "Charles Edward Ham, Jr.," "Charles Edmond Ham, Jr." and "Dennis Henry," for illegally assuming the identity of a United States citizen ("Individual-1") to, inter alia, obtain and renew a United States passport in the name of Individual-1, obtain from the Social Security Administration retirement insurance benefits in the name of Individual-1, and obtain from the New York State Department of Labor ("NYSDOL") unemployment benefits in the name of Individual-1.<sup>2</sup> Notwithstanding the defendant's use of Individual-1's name and other identifying information, the evidence gathered to date, including but not limited to the below, establishes that the defendant is not, in fact, Individual-1.

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

<sup>2</sup> NYSDOL is the department of the New York State government that, among other things, administers unemployment benefits via weekly payments to eligible claimants.

a. A certificate of death issued by the Commonwealth of Pennsylvania Department of Health indicates that Individual-1 died in Philadelphia, Pennsylvania on or about July 24, 2015. During a voluntary interview with law enforcement officers in Brooklyn, New York on or about February 23, 2022, the defendant repeatedly represented himself to be Individual-1 and provided investigators with documentation in the name of Individual-1 in an effort to establish his identity as Individual-1. Moreover, a United States passport renewal application and various claims for unemployment benefits made in the name of Individual-1, discussed in greater detail below, were submitted years after Individual-1's death.

b. During a voluntary interview with law enforcement officers on or about March 23, 2022, a relative of Individual-1 confirmed that Individual-1 had died in 2015 and stated that a photograph of the defendant did not depict Individual-1.

c. During the above-mentioned interview on or about February 23, 2022, the defendant consented to having his fingerprints taken by the investigators. Law enforcement officers subsequently determined that the defendant's fingerprints are a match to fingerprints contained in New York City Police Department arrest records that include a photograph that appears to be the defendant but do not match fingerprints contained in Philadelphia Police Department arrest records for Individual-1.

3. NYSDOL records show that between January 2005 and February 2024 claims for unemployment benefits were regularly submitted via NYSDOL's website in the name of Individual-1, with Individual-1's Social Security number and date of birth. However, based on, in part, the evidence described below, the investigation has revealed that the defendant FNU LNU, also known as "Charles E. Ham, Jr.," "Charles Edward Ham, Jr.," "Charles Edmond Ham,

Jr.” and “Dennis Henry,” rather than Individual-1, submitted these claims (the “Fraudulent Claims”).

a. The Fraudulent Claims list an address in Brooklyn, New York where law enforcement officers conducted two voluntary interviews of the defendant in approximately 2022 and that corresponds to the home address identified on a United States passport renewal application submitted to the National Passport Center in approximately 2021 in the name of Individual-1, with Individual-1’s Social Security number and date of birth, but with a photograph of the defendant.

b. Beginning in approximately 2011, the Fraudulent Claims list the same telephone number identified on the United States passport renewal application described above.

c. Pennsylvania Department of Transportation records indicate that Individual-1 resided in the Commonwealth of Pennsylvania between approximately 1985 and 2015, and there is no evidence that Individual-1 resided in New York State during the timeframe of the Fraudulent Claims prior to Individual-1’s death in approximately 2015.

4. As a result of the Fraudulent Claims, the defendant FNU LNU, also known as “Charles E. Ham, Jr.,” “Charles Edward Ham, Jr.,” “Charles Edmond Ham, Jr.” and “Dennis Henry,” received approximately \$165,850 in unemployment benefits from NYSDOL between approximately February 2005 and October 2023.

5. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application and arrest warrant, as disclosure would give the target of the investigation notice of law enforcement’s efforts to arrest him, thereby providing the target an opportunity to evade


prosecution, destroy or tamper with evidence or change patterns of behavior. Disclosure would therefore have a significant and negative impact on the continuing investigation and law enforcement's efforts to apprehend the target.

WHEREFORE, your deponent respectfully requests that the defendant FNU LNU, also known as "Charles E. Ham, Jr.," "Charles Edward Ham, Jr.," "Charles Edmond Ham, Jr." and "Dennis Henry," be dealt with according to law.

Respectfully submitted,

  
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Ryan G. Lazzari  
Special Agent  
U.S. Department of State  
Bureau of Diplomatic Security

Sworn to before me by telephone  
this 2d day of December, 2024

  
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THE HONORABLE ROBERT M. LEVY  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK